



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of:

ROBERT W. MASON

Serial No.: 09/664,105

Filed: September 19, 2000

For: NON-PHOSGENE ROUTE TO THE MANUFACTURE OF
ORGANIC ISOCYANATES

Attorney Docket No.: LYON 0117 PUS

Group Art Unit: 1625

Examiner: Taylor V. H

TECH CENTER 1600/2900

MAR 07 2003

RECEIVED

SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.111

Box Non-Fee
Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

Supplemental to Applicant's response under 37 C.F.R. § 1.111 filed February 5, 2003, kindly consider in addition the Declaration under Rule 132 of Inventor, Robert W. Mason.

Mr. Mason is highly experienced in the field of organic isocyanates, having worked in this field for some 25 years. Mr. Mason indicates that the reactions and reaction mechanisms of the *Okawa*, *Kober*, and *Faraj* references are all highly different, and that one skilled in the art would have no motivation to combine these references. Mr. Mason also indicates that *Okawa* is not directed to aromatic isocyanates, and that, in fact, the prior art (*Gurgiolo*) clearly indicates that dimethyl carbonate will not produce carbamates from aromatic amine substrates. *Gurgiolo* must be considered for its teachings away from the present invention even though not cited by the Office. *In re Fournet*, 148 U.S.P.Q. 740 (CCPA 1961); *In re Dow*, 5 U.S.P.Q. 2d 1529 (Fed. Cir. 1988).

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Box Non-Fee, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231-on:

February 28, 2003
Date of Deposit

William G. Conger
Name of Person Signing

Signature

Mr. Mason also performed numerous experiments on aromatic formamides using the dimethyl carbonate of *Okawa*, both uncatalyzed, and catalyzed with catalysts which include *Okawa's* preferred catalyst. In accord with *Gurgiolo*, no carbamates are formed.

Finally, Mr. Mason declares that to one skilled in the art, the claims are indeed definite and enabled, i.e. that the various reaction conditions can be determined without undue experimentation.

Allowance is respectfully requested.

Respectfully submitted,

ROBERT W. MASON

By 

William G. Conger

Reg. No. 31,209

Attorney/Agent for Applicant

Date: February 28, 2003

BROOKS & KUSHMAN P.C.

1000 Town Center, 22nd Floor

Southfield, MI 48075

Phone: 248-358-4400

Fax: 248-358-3351

Attachment